

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/740,679 Confirmation No.: 6074
Applicant : J. Stuart Cumming
Filing Date : 12/19/2000
Title : ACCOMMODATING INTRAOCULAR LENS
Group Art Unit: 3732
Examiner : Paul B. Prebilic
Docket No. : 13533.4033
Customer No. : 34313

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION

Sir:

With respect to the Section 112 rejection, it is respectfully submitted that the Examiner apparently overlooked the language in Paragraph 0086 concerning the hinges 38, namely "has flexible hinges 38 which join the inner ends of the haptics to the optic." The lens of Fig. 2 which was referred to is virtually identical to that of Fig. 18 except for the curved sides of the haptics and the added knobs 118 in Fig. 18. In each figure, the hinges are shown as straight lines and clearly tangential to the optic. The embodiments referred to by the Examiner and discussed in Paragraphs 110 and 128 are entirely different in structure from Figs. 2 and 18.

It thus is submitted that there is clear support for the phrase added on page 33 (in Paragraph 0086), "As seen in the Figures, the hinges 38 formed by the

grooves 40 are straight and tangential to the optic 34.

It thus is submitted that Claims 53-57, 59, 61, 63, 72-74, 77, 90-91, 93-95 and 99-102 are allowable.

Favorable reconsideration is requested.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 15-0665.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE

Dated:

5-20-08

By:

Samuel B. Stone

Samuel B. Stone
Reg. No. 19,297

Orrick, Herrington & Sutcliffe LLP
4 Park Plaza, Suite 1600
Irvine, CA 92614-2558
Tel. 949-567-6700
Fax: 949-567-6710